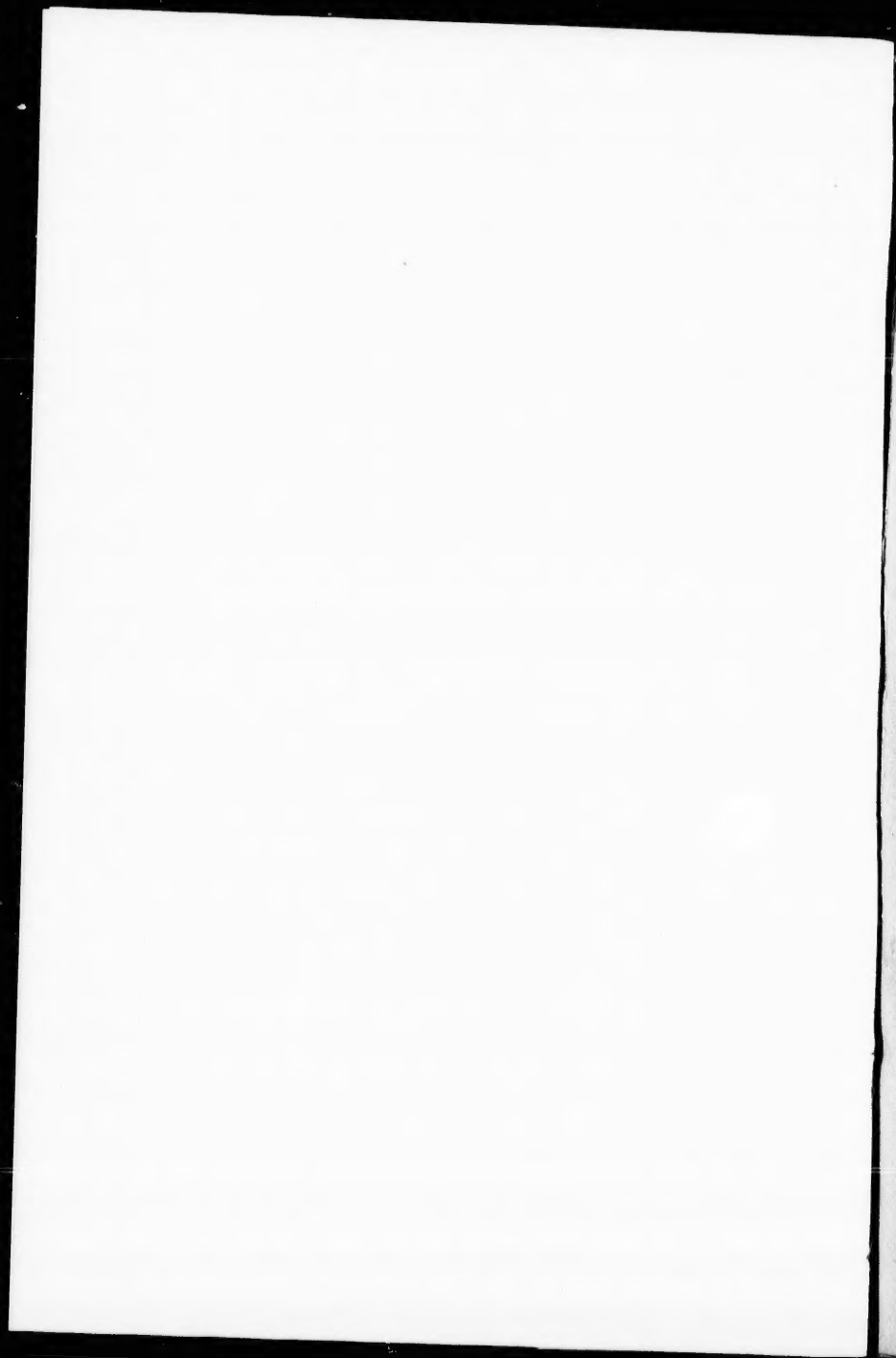




CITY OF WINNIPEG.

BY-LAW NO. 205.



2

A BY-LAW

TO

REGULATE THE PROCEEDINGS

IN THE

MUNICIPAL COUNCIL

OF THE

*Corporation of the City of Winnipeg and the Officers and
Committees Thereof.*

Winnipeg, Manitoba:

PRINTED BY THE SUN PRINTING AND PUBLISHING COMPANY.

1883.



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BY-LAW NO. 205.



DANIEL CAREY,
*Barrister, Attorney,
Solicitor & Notary Public;*
WINNIPEG, MANITOBA.

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BY-LAW NO. 205.

A By-Law to Regulate the Proceedings in the Municipal Council of the Corporation of the City of Winnipeg, and the Officers and Committees thereof.

WHEREAS, it is expedient to pass a By-Law to regulate the proceedings in Municipal Council, and in Committees of the Municipal Council of the Corporation of the City of Winnipeg, and to define the duties of the several Officers of said Corporation and the manner in which said duties shall be fulfilled.

THEREFORE, the Municipal Council of the Corporation of the City of Winnipeg, in Council Assembled, enacts as follows:

MEETINGS AND ADJOURNMENTS OF COUNCIL.

1. In all proceedings had or taken in the Municipal Council of the Corporation of the City of Winnipeg the following rules and regulations shall be observed, and shall be the rules and regulations for the order and despatch of business in the said Council and of the Committees of the said Council.
2. The said Council shall meet every Monday in the year, at the hour of seven o'clock p. m., unless otherwise ordered by special motion, or unless such Monday shall be a public holiday, according to law, when the Council shall meet at the same hour the next following day, which shall not be such public holiday.
3. The Mayor may at any time summon a special meeting of the Council, and it shall be his duty to summon a special meeting whenever requested by a majority of the members of the Council.
4. Unless there shall be a quorum present in half an hour after the time appointed for the meeting of the Council, the Council shall then stand absolutely adjourned until the next day of meeting, unless a special meeting be duly called in the meantime, and the Clerk shall take down the names of the members present at the expiration of such half hour.
5. The members of the Council shall not leave their places, on adjournment, until the Mayor or other Presiding Officer leaves the chair.

ORDER OF PROCEEDING IN COUNCIL.

6. As soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the chair, and the members uncovered shall be called to order.

7. In case the Mayor shall not be in attendance, the Clerk shall call the meeting to order, until a chairman shall be chosen, who shall preside until the arrival of the Mayor.

8. In the absence of the Mayor, one of the Aldermen present shall be chosen to preside during the absence of the Mayor, and at the meeting only at which he has been so chosen.

9. Immediately after the Mayor or other Presiding Officer shall have taken his seat, the Minutes of the preceding meeting shall be read by the Clerk, in order that any mistake therein may be corrected by the Council.

10. The Mayor or other Presiding Officer shall preserve order and decorum, and decide questions of order, subject to an appeal to the Council.

11. When the Mayor or other Presiding Officer is called on to decide a point of order or practice, he shall do so without unnecessary comment, and shall state the rule or authority applicable to the case.

12. The Mayor or other Presiding Officer may vote with the other members on all questions, and any question on which there is an equality of votes shall be deemed to be negatived.

13. If the Mayor or other Presiding Officer desires to leave the chair for the purpose of taking part in the debate, or otherwise, he shall call one of the Aldermen to fill his place until he resumes the chair.

14. Every member previous to his speaking to any question, or motion, shall rise from his seat uncovered, and shall address himself to the Mayor or other Presiding Officer.

15. When two or more members rise at once, the Mayor or other Presiding Officer shall name the member who first rose in his place, but a motion may be made that any member who has risen "be now heard" or "do now speak."

16. Every member who shall be present in the Council Chamber when a question is put shall vote thereon, unless the Council shall excuse him, or unless he be personally interested in the question, provided such interest is resolvable into a personal pecuniary profit, or such as is peculiar to that member, and not in common with the interests of the citizens at large, and in such case he shall not vote.

17. When the Mayor or other Presiding Officer is putting the question, no member shall walk across or out of the room, or make any noise or disturbance, or when a member is speaking, no other member shall interrupt him except to raise a point of order, nor pass between him and the chair.

18. A member called to order from the chair shall sit down, but may afterwards be permitted to explain, and the Council, if appealed to, shall decide on the case, but without debate; if there be no appeal, the decision of the Mayor or other Presiding Officer shall be final.

19. No member shall speak disrespectfully of Her Majesty the Queen, or of any of the Royal Family, or of the Governor-General, Lieutenant-Governor, or person administering the Government of the Dominion or of this Province, nor shall he use offensive

words in or against the Council, or against any member thereof, nor shall he speak beside the question in debate, and no member shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded, nor shall he resist its rules or disobey the decision of the Mayor or the Presiding Officer, or, in case of appeal, of the Council, on questions of order or practice, or in the interpretation of the Rules of the Council; and in case any member shall so resist or disobey, he may be ordered by the Mayor or other Presiding Officer to leave his seat for that meeting of the Council, and be removed therefrom by the Police for contempt of the Council and its rules, but in case of ample apology being made by the offender, he may, by vote of the Council, be restored forthwith.

20. Any member may require the question or motion in discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.

21. No member shall speak more than once to the same question, without leave of the Council, except in explanation of a material part of his speech, which may have been misconceived, and in doing so he is not to introduce new matter: A reply is allowed to a member who has made a substantive motion to the Council; but not to any member who has moved an order of the day, an amendment, the previous question, or an instruction to a committee, and no member, without leave of the Council, shall speak to the same question, or in reply, for longer than a quarter of an hour.

22. Upon a division of the Council, the names of those who vote for and those who vote against the question shall be entered upon the minutes, when any two members shall call for yeas and nays.

23. Questions may be put to the Mayor or other Presiding Officer, or through him to any member of the Council, relating to any bill, motion, or other matter connected with the business of the Council, or the affairs of the City, but no argument or opinion is to be offered, nor any facts stated, except so far as may be necessary to explain the same; and in answering any such questions a member is not to debate the matter to which the same refers.

24. No person except members and Officers of the Council shall be allowed to come within the bar during the sittings of the Council without the permission of the Mayor or other Presiding Officer.

25. No standing Rule or Order of the Council shall be suspended except by a vote of two-thirds of the members present.

26. In all unprovided cases in the proceedings of Council, or in Committee, the Law of Parliament shall be followed.

ORDERS OF THE DAY.

27. The Clerk shall have prepared or printed for the use of members "The General Orders of the Day," containing:—

- 1st—READING OF MINUTES;
- 2nd—ORIGINAL COMMUNICATIONS;
- 3rd—PETITIONS;
- 4th—REPORTS OF COMMITTEES;
- 5th—CONSIDERATION OF REPORTS OF THE EXECUTIVE AND OTHER COMMITTEES;
- 6th—GIVING NOTICE;
- 7th—INTRODUCTION OF BY-LAWS;
- 8th—UNFINISHED BUSINESS;
- 9th—MOTIONS;
- 10th—CONSIDERATION OF BY-LAWS;
- 11th—ENQUIRIES.

28. All communications, accounts and petitions shall be considered as having been referred to the proper Committee, unless otherwise ordered.

29. The business shall in all cases be taken up in the order in which it stands upon the "General Orders of the Day," unless otherwise determined upon by a vote of two-thirds of the members present, and without debate thereon.

MOTIONS AND ORDER OF PUTTING QUESTIONS IN COUNCIL.

30. One day's notice shall be given of all motions for introducing new matter other than matters of privilege and bringing up petitions and communications, and no motion shall be discussed unless such notice has been given, or the Council dispense with such notice by a vote of two-thirds of the members present without debate.

31. All motions shall be in writing and seconded before being debated or put from the Chair. When a motion is seconded it shall be read by the Mayor or other Presiding Officer or Clerk before debate.

32. After a motion is read by the Mayor or other Presiding Officer or Clerk, it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment, with permission of the Council.

33. A motion of commitment, until it is decided, shall preclude all amendments of the main question.

34. A motion to adjourn shall always be in order, but no second motion to the same effect shall be made until after some intermediate proceeding shall have been had.

35. When a question is under debate, no motion shall be received, unless to commit it, to amend it, to lay it on the table, to postpone it, to adjourn it, or to move the previous question.

36. The previous question, until it is decided, shall preclude all amendment of the main question, and shall be put without debate in the following words, "Shall this question be now put," and if this motion be resolved in the affirmative, the original question is to be put forthwith, without any amendment or debate.

37. All amendments shall be put in the reverse order in which they are moved, except in filling up blanks, when the longest time and largest sum shall be put first; and every amendment submitted shall be reduced to writing, and be decided upon or withdrawn before the main question is put to vote. Only one amendment shall be allowed to an amendment, and any amendment more than one must be to the main question.

38. In all motions for the appointment of any person to any office in the gift of the Council, the names of all candidates shall be submitted before any vote is taken, and the candidates shall be voted on separately in the order in which they are proposed.

39. When the question under consideration contains distinct propositions, upon the request of any member, the vote upon each proposition shall be taken separately.

40. After any question is finally put by the Mayor or other Presiding Officer, no member shall speak to the question, nor shall any other motion be made until after the result is declared; and the decision of the Mayor or other Presiding Officer, as to whether the question has been finally put, shall be conclusive.

41. Whenever the Mayor or other Presiding Officer is of opinion that a motion offered to the Council is contrary to the rules and privileges of the Council, he shall apprise the

members thereof immediately before putting the question thereon, and quote the rule or authority applicable to the case, without argument or comment.

42. Members shall always take their places when any division is called for.

ORDER OF PROCEEDINGS IN COMMITTEE OF THE WHOLE.

43. Whenever it shall be moved and carried that the Council go into Committee of the Whole, the Mayor or other Presiding Officer shall leave the Chair, and shall appoint a Chairman of Committee of the Whole, who shall maintain order in the Committee, and who shall report the proceedings of the Committee.

44. Previous to discussion on every By-Law or Report of a Committee in Committee of the Whole, the same shall be read out by the Clerk, who, on the request of any member, shall repeat the reading of any clause or clauses therein as may be desired by such member.

45. The rules of the Council shall be observed in Committee of the Whole, so far as may be applicable, except that no motion shall require to be seconded, nor shall a motion for the previous question, or for an adjournment be allowed; nor shall the number of times of speaking on any question be limited.

46. Questions of order arising in Committee of the Whole shall be decided by the Chairman, subject to an appeal to the Council, and if any sudden disorder should arise in the Committee, the Mayor or other Presiding Officer will resume the chair, without any motion being put.

47. On motion in Committee of the Whole to rise and report, the question shall be decided without debate.

48. A motion in Committee of the Whole to rise without reporting, or that the Chairman leave the Chair, shall always be in order, and shall take precedence of any other motion. On such motion debate shall be allowed, and on an affirmative vote the subject referred to the Committee shall be considered as disposed of in the negative, and the Mayor or other Presiding Officer shall resume the chair, and proceed with the next order of business.

READING OF BY-LAWS AND PROCEEDINGS THEREON.

49. Every By-Law shall be introduced upon motion for leave, specifying the title of the By-Law, or upon motion to appoint a Committee to prepare and bring it in.

50. No By-Law shall be introduced either in blank or in an imperfect shape.

51. The question, "That this By-Law be now read a first time," shall be decided without amendment or debate; and every By-Law shall be printed immediately after the first reading thereof, and shall be read a second time before it is committed, and read a third time before it is signed by the Mayor.

52. Unless previously reported upon by a Committee, every By-Law shall, unless otherwise determined by the Council, be committed, after the second reading thereof, to a Committee, to report on the leading features of the same.

53. Every By-Law shall receive three several readings, and on different days previous to its being passed, except in urgent and extraordinary occasions, and upon a vote of two-thirds of the members present, when it may be read twice or thrice, or advanced two or more stages in one day.

54. When a By-Law is read in the Council the Clerk shall certify the readings, and the time, on the back thereof. After By-Laws have passed he shall be responsible for their correctness should they be amended.

55. Any By-Law for the appropriation of money brought in on the report of a Committee of the Whole, shall pass through all its stages without being again referred to the Committee of the Whole, unless upon special motion in writing.

56. In proceedings in Committee of the Whole upon By-Laws, every clause shall be considered in its proper order.

57. All amendments made in Committee of the Whole shall be reported by the Chairman to the Council, who shall receive the same forthwith. After report, the By-Law shall be open to debate and amendment before it is ordered for a third reading. When a By-Law is reported without amendment, it is forthwith ordered to be read a third time, at such time as may be appointed by the Council.

58. All By-laws, after having been printed and finally adopted by the Council, shall be paged and bound up as a supplement to the minutes of the Council for the year in which they are passed, and shall have a separate index prepared for the same.

59. Every By-law which has passed the Council shall immediately after being signed by the Mayor, and sealed with the Seal of the Corporation, be deposited by the Clerk for security in the vault connected with his office.

PETITIONS AND COMMUNICATIONS.

60. Every petition, remonstrance or other written application intended to be presented to the Council must be fairly written or printed on paper or parchment, and signed by at least, one person, and no letters, affidavits, or other documents shall be attached to it.

61. Every petition, remonstrance, or other written application, may be presented to the Council, by any member thereof, not signing or being a party to the same, on any day, but not later than the hour at which the Council convene, except on extraordinary occasions, and every member presenting any petition, remonstrance, or other written application to the Council, shall examine the same, and shall be answerable that it does not contain any impertinent or improper matter; and that the same is respectful and temperate in its language; he shall also endorse thereon the name of the applicant, and the substance of such application, and sign his name thereto, which endorsement only shall be read by the Mayor, or other presiding officer, or clerk, unless a member shall require the reading of the paper, in which case the whole shall be read.

62. All petitions or other written communications on any subject within the cognizance of any standing committee, shall on presentation be referred by the Mayor, or other presiding officer, to the proper committee, without any motion; and no member shall speak upon, or shall any debate be allowed on the presentation of any petition or other communication to the Council; but any member may move that in referring said petition or other communication, certain instructions may be given by the Council, or that the said petition or communication be referred to a special committee, and if the petition or communication complains of some present personal grievance requiring an immediate remedy, the matter contained therein may be brought into immediate discussion, and be disposed of forthwith.

63. Any member may move to take up or refer any communication or petition made or presented to the Council during the year in which such motion is made, or during the year next proceeding such year, and whether such communication or petition has been

referred to a committee and reported on or not ; but no motion shall be in order to take up or refer a communication or petition made or presented at any time before the commencement of the year next proceeding such motion.

APPOINTMENT AND ORGANIZATION OF COMMITTEES.

64. All Standing or Select Committees shall be appointed on motion of a member by consent of a majority of the Council, and any member of the Council may be placed on a committee, notwithstanding the absence of such member at the time of his being named upon such Committee.

65. Every member who shall introduce a by-law, petition, or motion, upon any subject which may be referred to a special committee shall be one of the committee, without being named by the Council, and shall unless he otherwise determines, be chairman of such committee.

66. Of the number of members appointed to compose any standing or special committee, such number thereof as shall be equal to a majority of the whole number chosen, exclusive of any *ex-officio* members, shall be a quorum competent to proceed to business.

67. There shall be annually appointed at the first or second meeting of each newly-elected Council, the following Committees, which shall compose the Standing Committees of the Council :

1st—THE STANDING COMMITTEE OF FINANCE.

2nd—THE STANDING COMMITTEE ON WORKS.

3rd—THE STANDING COMMITTEE ON FIRE, WATER AND LIGHT.

4th—THE STANDING COMMITTEE ON LICENSE AND POLICE.

5th—THE STANDING COMMITTEE ON MARKETS.

6th—THE STANDING COMMITTEE ON HEALTH.

7th—THE STANDING COMMITTEE ON PROPERTY.

68. Each Standing Committee of the Council shall consist of one member of the Council, from each Ward as the Council may elect at its first or second meeting as afore said, and the Mayor shall be *ex-officio* a member of all Committees.

69. The members of each Standing Committee of the Council shall meet at the City Hall for the purpose of organization, within three days after that on which they are appointed, or as soon as convenient thereafter, at such hours as the Mayor may direct, or in default of the Mayor naming such hours, then the City Clerk shall appoint the hours for such meetings.

70. The members of each Standing Committee of the Council, shall at their first meeting proceed to elect from among themselves a Chairman, and immediately after such Chairman has been elected, the day of the first regular meeting of such Committee shall be determined, and also the hour at which such meeting shall be held.

71. The regular meeting of the Finance Committee and of the Committee on Works, shall be held once in each week, except when otherwise ordered by the Council, and by each of the other Standing Committees as often as may be determined upon, but all such meetings shall be at regular stated intervals, and not less than once in each month.

72. Special meetings of standing Committees may be called by the Chairman whenever he shall consider it necessary to do so, and it shall be the duty of the Chairman, or in his absence from the City it shall be the duty of the Clerk of the Council, or the Clerk

of the Standing Committee, if a special Clerk shall have been appointed on that behalf, to summon a special meeting of a Committee whenever requested in writing to do so by a majority of the members composing it.

73. Members of the Council may attend the meetings of any of its committees, but shall not be allowed to vote, nor shall they be allowed to take part in any discussion or debate, except by the permission of the majority of the members of the committee.

DUTIES AND ORDER OF BUSINESS OF COMMITTEES.

74. The business of the standing and special committees shall be conducted under the following regulations:

(1) The chairman shall preside at every meeting and shall vote on all questions submitted, and in case of an equal division, the question shall be passed in the negative.

(2) He shall sign all such orders and documents as the committee may legally order.

(3) In his absence, one of the other members shall be elected to preside, who shall discharge the duties of the chairman for the meeting, or until the arrival of the chairman.

(4) The minutes of all the transactions of every committee shall be accurately entered in a book to be provided for that purpose, and at each meeting the minutes of the preceding meeting shall be submitted for confirmation or amendment, and after they have received the approval of a majority of the members present, they shall be signed by the chairman.

(5) There shall be entered on the minute book of each committee, all reports ordered to be submitted to the Council, all orders that may be passed, and all accounts that may be audited with a reference to the by-law or resolution of the Council under which such audit is made, together with such other matter as the committee shall consider essential to a correct exhibition of its proceedings.

(6) Each minute so recorded shall have attached to it a progressive number of reference and an analytical index shall be kept for each minute book.

(7) When a division takes place on any question, the votes of the members shall be recorded, if required, by one of its members.

(8) No order or authority to do any matter or thing shall be recognized as emanating from any committee unless it is in writing, nor unless it is signed by the chairman or acting chairman, and refers to the minute of the board under which it is issued

75. It shall be the duty of every Standing or Select Committee

(1) To cause a notice of each regular and special meeting of such Committee to be served on each of the members thereof, at their residence or ordinary place of business, and also upon the Mayor, City Solicitor, City Chamberlain and City Engineer, on the day previous to each meeting being held.

(2) To attend all meetings of the Committees and to record the minutes, orders and requests of all such meetings in the manner hereinafter provided.

76. The general duties of the Standing and Special Committees of the Council shall be as follows:

1st. To report to the Council from time to time whenever desired by the Council, and as often as the interests of the city may require, on all matters connected with the duties imposed on them respectively, and to recommend such action by the Council in relation thereto, as may be deemed necessary.

2nd. To prepare and introduce into the Council all such by-laws as may be necessary to give effect to the reports or recommendations of the respective Committees that are adopted by the Council.

3rd. To give effect by the instrumentality of the proper officer or officers, to all by-laws and resolutions of the Council, that relate to the duties of the respective committees.

4th. To audit all accounts connected with the discharge of the duties imposed by the Council or with the performance of any works, or the purchase of any material or goods under the supervision of the respective committees.

5th. To consider and report respectively on any and all matters referred to them by the Council, the chairman, and a majority of such committee signing such report, and bringing up the same.

6th. To adhere strictly in the transaction of all business, to the rules prescribed by the respective by-laws of the Council.

7th. To present to the Council, on or before the last regular meeting of the Council in each and every year, for the information of the Council, and of the citizens generally, as well as for the guidance of the committees of the following year, a general report of the state of the various matters referred to the committees from time to time during the year, the work or business done through, or by such committee, and the expenditure made under their authority, or superintendence; such report shall also state the number of meetings the committee held during the year at which a quorum was present, and the number of meetings duly called, but at which there was no quorum, and how often each member was absent from the latter meetings, and shall contain such suggestions in regard to the future action of the succeeding committee as experience may enable the reporting committee to make in respect of the matters embraced in the report.

8th. To see that the persons in office or appointed to office connected with the department of each respective committee, have given or do give the necessary security required of them for the performance of their duties, and in the case of any new appointment, that the security is given before any such person enters upon his duties.

COMMITTEE ON FINANCE.

77. In addition to the duties prescribed by law, or by the seventy-seventh section of this By-law, or by any By-law of the City of Winnipeg, the duties specially imposed on the Standing Committee on Finance shall be as follows:

(1). To supervise all contracts, orders, engagements, reports, recommendations, nominations, and proceedings involving the expenditure of money, of all or any of the other Committees above named, or of any officer of the Corporation; and no contract, order, engagement, report, recommendation, nomination or proceeding involving the expenditure of money of any of the said Committees, except as herein otherwise provided, or of any officer of the Corporation, shall have any legal effect or operation until the same shall have been laid before the said Finance Committee or until the Council shall have passed the same in the usual manner.

- (2) To supervise all accounts, expenditure and outlay, and all sums payable, under contract, before any moneys are paid therefor, of all the other Committees, and shall require the law, and all By-laws and Resolutions of the Council with respect thereto, to be complied with before claims or accounts are paid; and no account, claim or demand whatever not expressly authorized to be paid by Statute, By-law or Resolution of the Council, shall be paid by the Chamberlain, until the same shall have been first laid before the said Finance Committee, and reported on by the said Committee; provided always that all amounts due to laborers and others in certified pay sheets for daily, weekly or monthly wages, shall be paid by the City Chamberlain on the order of the Mayor or Alderman acting for him, or of the Chairman of the Finance Committee.
- (3) The Finance Committee shall have the right to object to any contract, order, engagement, report, recommendation, nomination, claim, account, or proceeding involving the expenditure of money, in case the same shall not comply: (1) With the law or with the By-laws of the Council, or (2) shall exceed the appropriation made to the Committee reporting on, or (3) shall exceed the appropriation to the special work or service reported on, or (4) in case the same shall require the expenditure of money beyond the estimates for the year for any work or service. In case any contract, order, engagement, report, recommendation, nomination, claim, account, or proceeding of any other Committee shall be objected to on any of the grounds aforesaid by the Finance Committee, and the same is appealed against by any member of the Council, the subject so appealed shall not be adopted or passed by the Council unless upon a two-thirds vote of the Council be recorded in favor thereof.
- (4) To present to the Council, on or before the last Monday in April in each year, a full and particular exhibit of the Financial affairs of the City, at the termination of the preceding financial year, and the estimate of the amount required to be raised by assessment during the current year.
- (5) To introduce a By law after the adoption of the Estimates in each year to regulate the manner in which the revenue required for the current year should be raised.
- (6) To consider and report as often as may be necessary on the management of all matters connected with stocks, bonds, or securities of any kind held by the Corporation
- (7) To have the special supervision of the books of accounts, documents, and vouchers, and of all moneys, debentures, and securities in the Chamberlain's office, and shall also have the supervision of the Chamberlain, and of any or all officers in his department under him.
- (8) To advise the Chamberlain when called upon to do so, in any or all matters pertaining to his office.
- (9) To see, that all duties and services which ought to be performed by the Chamberlain, and any officer or officers, in his department, are fully executed.
- (10) To forbid the signing or delivery of any cheque or of any security, or the payment of any money, by the Chamberlain, if they should think it expedient so to do, until the matter can be further considered, or can be referred to the Council.
- (11) To regulate all matters connected with the receipt and payment of money, and to order the adoption of such regulations in connection therewith, as may be deemed necessary for the prevention of any payment being made in contravention of the By-laws and generally to manage the financial affairs of the City.
- (12) To direct the purchase of books and stationery, the advertisement of City notices, and the performance of printing, and to report thereon to the Council.

(13). To cause to be furnished to the Council, not later than the second meeting of the Council in every month after the passage of the estimates, and from month to month, a report of all amounts expended during the previous month by every Committee and also totals of all estimated or ascertained liabilities and for which the Corporation is still liable, as in schedule B.

78. The minutes of Proceedings in all other Committees shall be furnished to the Finance Committee from time to time if required by such Finance Committee, and a summarized statement of all expenditure made, and estimated and ascertained liabilities incurred during the previous month, shall be furnished by such other Committee to such Finance Committee every month, and from month to month up to the end of the last day of the month, and at most not later than the fifth day of every month thereafter, which may be in the form or to the like effect as in Schedule A.

79. In case of emergency, and on report in writing from the Chief Officer of the department in which the emergency or necessity arises, stating generally the locality, nature of service required, and probable cost of the work to be done; and upon the endorsement thereof, approving of the same, by the Chairman of the Committee to which the same appertains, a sum not exceeding two hundred and fifty dollars in all for any one service or work may be expended by the Committee in charge of such work or service. It shall be the duty of the officer reporting thereon to forward a copy of such report forthwith, or at least within twenty-four hours after the signing of the same (the day and hour of signing to be marked thereon), to the Chairman of the Finance Committee, which Committee shall have power to order the work to cease, if deemed prudent, and the said work or service shall be reported by the Chairman of the Committee in whose department the work or service is required, at the next meeting of the Council thereafter, and on his default, by the Chairman of the Finance Committee at such meeting, or at least at the next subsequent meeting of the Council.

80. The Council shall not adopt or pass any vote, resolution, or By-law for the appropriation of any part of the City revenue to any purpose that has not been first submitted to and recommended to the Council by the Finance Committee in the year in which such veto, resolution, or By-law is proposed, and no sum of money for taxes, rentals, licenses, fees of any kind, or otherwise in any way affecting or diminishing the revenue of the City, shall be remitted or suspended by the Council until recommended to the Council as aforesaid by such Finance Committee.

81. No Committee or Officer of the Council shall exceed the appropriation made to such Committee for any purpose, nor shall it be lawful, without the approval of the Finance Committee and of the Council, for any Committee to expend money appropriated to any one purpose on any other proposed work or service.

COMMITTEE ON WORKS.

82. In addition to the duties prescribed by law or by the seventy-seventh section of this By-law, or by any other By-law of the City of Winnipeg, prescribing duties to the Committee on Works, the duties especially imposed on the Committee on Works shall be as follows:

(1) To consider and report on all matters relating to sewers, drains, streets, lanes, alleys, public thoroughfares, and their maintenance against encroachment; sidewalks, fences, surveys, lands, the employment of labor and purchase of material for all the purposes connected with such matters.

(2) To report and recommend to the Council such regulations for the control of private buildings, drains and fences as may be requisite for the public safety and welfare, and in accordance with the legislative enactments.

(3) To report to the Council in their final report for each year, on all works of permanent improvement in connection with the city property above enumerated, as it may be considered essential to the welfare and convenience of the citizens to be carried out during the ensuing year, together with the estimated cost of the works so recommended.

(4) To direct and control the City Engineer and his staff, in the discharge of their duties, and to report to the Council from time to time on all matters connected with the duties of his department.

(5) To give effect to such orders of the Council in relation to the performance of work under other Committees.

(6) And shall confer from time to time with any other Committee, Commission, or Company having any special or statutory right in the streets, so as to provide a uniform system of opening up streets, or breaking in upon the macadamized or paved portions thereof, with the least damage thereto possible.

COMMITTEE ON FIRE, WATER AND LIGHT.

83. In addition to the duties prescribed by law, or by the seventy-seventh section of this By-law, By-law No. 193, entitled "A By-law for the organization and management of the Fire Department," or by any By-law of the City of Winnipeg, the duties especially imposed on the Standing Committee on Fire, Water and Light shall be as follows :

(1) To manage and report on the organization of a fire brigade, the supply and maintenance of the necessary engines, horses, hose, hose-carts and all other apparatus connected therewith, and to see that the same, when procured, are kept in good order, repair and efficiency.

(2) To enquire into and report on a proper site or sites for an engine house or houses, the estimated cost of erecting the necessary building or buildings thereon, the best and most eligible plans therefor should the same be found necessary, or the renting of suitable premises should such be determined on.

(3) To appoint and to have supervision over the members of the fire brigade.

(4) To report on the lighting of the city ; on the erection of lamps, and the inspection thereof.

(5) To enquire into and report on the supply of water, and the erection and maintenance of tanks, wells, or other means of supply.

(6) To consider and report on all matters connected with the establishment of fire limits, the inspection of buildings with reference thereto, and the prosecution of offenders against such regulations as may be enacted.

(7) And shall confer with the Committee on Works, so as to provide a uniform system of opening up streets or breaking in upon the macadamized or paved portions thereof with the least damage thereto possible.

COMMITTEE ON LICENSES AND POLICE.

84. That in addition to the duties prescribed by law, or by the seventy-seventh section of this By-law, or by any By-law of the City of Winnipeg, the duties especially imposed on the Standing Committee on Licenses and Police shall be as follows :

1. To have supervision over all matters relating to taverns, hotels, saloons, stores, shops, billiard rooms, bowling alleys, ale houses, beer houses, or houses where any game

or games of chance or skill are played for stakes or wagers, or when payment or reward accrues to the owner or occupant of said house or houses.

2. To regulate all matters connected with, or relating to the licensing of auctioneers, lively stables, horses, cabs, carriages, omnibuses, and other vehicles used for hire, and to consider and report on by-laws governing the same.

3. To recommend to the Council such regulations as should apply to hawkers or petty chapmen, and other persons carrying on petty trades, who have not become permanent residents or householders, or who go from place to place, or in, or with, any boat, vessel or craft, or otherwise carrying goods, wares or merchandize for sale, and to consider and report thereon, and the sum or sums which should be levied for license permitting the said persons to carry on said business.

(4). To have supervision over all officers of the corporation appointed as police; inspectors of taverns and houses of public entertainment or of licenses, and to report thereon as occasion requires.

COMMITTEE ON MARKETS.

85. In addition to the duties prescribed by law, or by the seventy-seventh section of this By-law, or by any By-law of the City of Winnipeg, the duties especially imposed on the Standing Committee on Markets, shall be as follows:

(1). To manage and report on all affairs relating to the regulations of the public markets, weight houses, inspection of weights and measures, the prevention of forestalling or regrating, the regulating the assize of bread, the dealings of hucksters, the cleaning of markets and the prevention of the sale of tainted or unwholesome food.

(2). To report on the levying and collecting of market dues or tolls, and weighing fees, and rental of stalls.

(3). To report on all works that may be required for the establishing and maintenance of markets, building, market houses and fences, laying out market grounds, and to carry out all such works and regulations in connection therewith as the Council may authorize.

COMMITTEE ON HEALTH.

86. In addition to the duties prescribed by law, or by the seventy-seventh of this By-law or by any By-law of the City of Winnipeg, the duties especially imposed on the Standing Committee on Health, shall be as follows:

(1) That the said Committee shall examine into or cause to be examined into and report on all nuisances, sources of filth, sickness caused by unhealthy premises, contagious diseases and epidemics; to enquire into and report on the best means of prevention or arrest of any infectious disorder, to see that the By-laws affecting the sanitary condition of the City are strictly carried out and obeyed, and that offenders against the same be dealt with as provided by said By-laws, and generally to maintain a strict supervision over all matters relating to, or affecting the public health.

(2) To have control over the Medical Health Officer, Health Inspector, City Scavengers, and all other Health Officers, appointed by the Council, and to see that said officers punctually perform the duties required of them.

COMMITTEE ON PROPERTY.

87. In addition to the duties prescribed by law, or by the seventy-seventh section of this By-law, or by any other By-law of the City of Winnipeg, the duties especially imposed on the Standing Committee on Property shall be as follows:

(1) To manage and report on all matters connected with the preservation of all grounds

set apart for Public Parks, Gardens, Walks or Cemeterys, and all buildings thereon, and all Market Buildings, Fire Halls, Jails, Lock-ups or other City Buildings, and the preservation of encroachments on such properties.

(2) To report on all matters connected with fencing, ornamenting and preserving the Parks, Gardens, Walks or Cemeterys as aforesaid, and to carry out all such works connected therewith as the Council may authorize.

(3) To manage and report on all matters connected with the City Emigrant Buildings.

(4) To manage and report on all matters connected with the City Bridges over the Assiniboine and Red Rivers.

(5) To consider and report on all affairs connected with the leasing or selling of City Property.

88. All matters not designated as belonging or appertaining to any of the foregoing Committees, shall belong to and be under the control of the Finance Committee, which shall have power to deal with the same, or shall belong to such other Committee as the Council or such Finance Committee may at any time refer the same by resolution to that effect.

APPOINTMENT AND DUTIES OF OFFICERS OF THE CORPORATION.

89. The duties of the various officers of the Corporation, in addition to those prescribed by law, or by any By-law or Resolution of the Council, shall be as follows:

CHAMBERLAIN.

(1) The Chamberlain shall be the head of the Financial Department of the Corporation, and shall be the principal officer and adviser of the Corporation, through the Finance Committee, in all matters relating to the monetary and financial operations of the City, and especially with regard to its debt, and the estimates to be prepared annually for providing the ways and means for protecting the same, and meeting the annual expenditure, with a careful regard to the maintenance of the Civic credit.

(2) The security to be given by the Chamberlain, shall be either by bond, with good and sufficient personal sureties, or the covenant and undertaking of any good and sufficient Company or Association duly incorporated for granting bonds of suretyship for parties holding positions of trust, and as to the amount of the same and all other particulars, shall be subject to the approval of the Council.

(3) The Chamberlain shall keep, or cause to be kept according to the most improved system of Book-keeping, such books of account as may be necessary to shew distinctly and continuously from day to day the Receipts and Disbursements, and all other Reckonings and Accountings of what nature or kind soever, connected with the monetary transactions of the Corporation.

(3½) He shall also keep special books and registers for recording the debenture debt of the corporation, the retirement of the coupons of interest, warrants of the same, and all other changes in the same, having especial regard to the provisions to be made with the bankers and elsewhere for meeting all payments of principal and interest as the same become payable. He shall also give special attention to the maintenance of the Sinking Funds and the punctual and full appropriation and investment of all moneys necessary to said maintenance.

(4) He shall deposit or cause to be deposited to the credit of the City with the Bankers of the Corporation, all moneys received by him as Chairman, payable and amounts on behalf of the Corporation by cheque, and shall compare and adjust monthly or oftener if necessary, the account current of the said Bankers.

(5) He shall use all diligence in enforcing the prompt collection of all rates, taxes, interest, rentals or other dues of the Corporation, and when necessary, enforce payment of the same by a prompt recourse to legal process.

(6) He shall be the custodian of all titles and evidence of title, deeds, mortgages, leases, agreements or other instruments relating to the property and rentals of the City, and shall only allow the same to be taken from his office on the order of the Council, or on the requisition and receipt of the City Solicitor, for use in any legal procedure, or on the order to produce of any court of law or equity.

(7) He shall further be the custodian of all bonds and securities of fidelity given for the faithful discharge of the duties of the officials and servants of the Corporation, save his own, which shall be deposited with the City Clerk.

(8) He shall be guided in the payment and disbursements of his office by the By-laws, Rules, and Regulations of the Corporation, with regard to the passing and verification of accounts by the several committees, or by statutory or other authority, and by the appropriations made for their liquidation, advising with the Committee of Finance or the Council when such appropriations are exhausted.

(9) He shall, as early as may be after the close of the financial year, prepare for publication the Annual Abstract and Report of the Civic Receipts and Expenditures, with statement of Assets and Liabilities, and such other information regarding the City Debt, the Sinking Funds, and any other special accounts of the Corporation, as may be required by the Council.

(10) He shall generally superintend the transactions of his department, and the officers of the same, and duly compare, check, and verify the entries of receipts and disbursements with the accounts and vouchers of the same, and with the books of the office.

(11) The accounts and transactions of his department shall be subject to a yearly audit by the City Auditors, who shall also verify and attest the Annual Abstract and Report of Receipts and Expenditures named in sub-section 9.

(12) He shall act as Secretary to the Finance Committee, and, as such, keep a record of all minutes, orders, and reports; provided always, that the said Committee may, from time to time, allow the Clerk in his office to act as their Secretary.

(13) He shall cause a notice of each regular and special meeting to be served on each member of the said Committee, at his residence or ordinary place of business, on the day previous to such meeting being held.

(14) He shall supply all information relative to the finances of the City, and to all other matters connected with his office, as the said Committee may require.

(15) He shall conform to all directions of the said Committee consistent with the law or the By-laws of the City.

(16) He shall have control over all officers placed in his office, subject to such orders as he may from time to time receive from the said Committee or the Council.

(17) All cheques for any sum of money whatever, to be paid on account of the City, shall be signed by the Chamberlain and countersigned by the Mayor; and in the event of the illness or duly authorized absence of the Chamberlain, then all such cheques shall be signed by his assistant and countersigned by the Mayor.

CITY CLERK.

90. The duties of the Clerk of the City of Winnipeg, in addition to those prescribed by law, or by any by-law or resolution of the Council, in connection with all standing and other committees shall be:

- (1) To notify each member of the respective committees appointed under this By-law, so soon as the appointment has been made, of the time and place at which the meeting of each committee will be held.
- (2) To furnish each member of all committees with a copy of this by-law, at the time of serving the notice of the first meeting.
- (3) To cause a notice of each regular and special meeting of each of the standing and other committees, except the standing committee having their own clerk, to be served on the members thereof at their residences or ordinary places of business, and not later than the day previous to such meeting being held.
- (4) To furnish the chamberlain of the city, the city engineer, and the chairman of each of the standing or other committees with certified copies of all resolutions, enactments, and orders of the Council relative to the matters over which the said committees, or officers of the corporation, may respectively have jurisdiction, on the day next succeeding that upon which the action of the Council in respect thereof takes place.
- (5) To communicate or convey to the committees, all petitions and other documents referred by the Council.
- (6) To attend all meetings of the committees, by himself, or his deputy, except the standing committees having their own Clerk when required so to do, by the chairman or acting chairman thereof, and to record the minutes, orders, and requests, of all such meetings, in the manner hereinafter provided.
- (7) To have control over all officers employed in his office, subject to such orders as he may, from time to time, receive from the mayor, or the Council.
- (8) To give notice to the members of the Council of all meetings thereof, when held on any other day than the day appointed for the regular meetings; said notice to be delivered to each member, at his residence or place of business, not later than the day previous to that on which such meeting is to be held.
- (9) To have charge of the city seal, and only to attach the same to any document connected with the corporation, on the order of the mayor, or the Council, or the committee on finance and assessment, or as required by law.
- (10) To keep a separate and distinct book in which shall be entered, in full, all by-laws and regulations, made and enacted by the Council, and also, to enter in a separate book, copies of all letters written by order of the Council, or of any committee.
- (11) There shall be paid to the City Clerk, by every person who shall desire the seal of the said city to be affixed to any document whatsoever, in which the corporation shall be in no wise concerned, the sum of one dollar.
- (12) It shall be the duty of the said clerk, when required by the Mayor, or the chair-

man of any committee, to deliver to the same, all documents and papers under his charge, which may be required to be acted upon, by the Council or the said committee.

(13) It shall be the duty of the said clerk, after the passing of any resolution of the Council directing the payment of any sum of money, out of the city treasury, to communicate the same to the chamberlain, certified under his hand, and also to transmit, without delay, to the several committees, copies of all resolutions, orders or communications that may be respectively referred to them by the Council.

ENGINEER AND STAFF.

91. The Council may appoint an officer to be known as the City Engineer, and the person so appointed shall devote his whole time to the duties appertaining to his office, and shall not engage in any business during office hours, other than that of the corporation; and the Council shall, upon the nomination of the said Engineer, appoint the following staff:

- (1) An Assistant Engineer and Draughtsman.
- (2) An Accountant and Engineer's Clerk.
- (3) One Street Inspector north.
- (4) One Street Inspector south.

92. It shall be the duty of each of the said officers of the Engineer's staff to perform such duties as may be assigned to them by law, or by the by-laws, or any resolution of this Council, under the direction of the Committee on Works and of the City Engineer.

93. The duty of the City Engineer shall be as follows:

(1.) He shall report to the Committee on Works, on or before the first day of January in each year, as to the improvements and repairs which, in his opinion, should be undertaken by the Corporation during the year, and also on or before the first day of May in each year, to present to the said committee a supplementary report as to any additional improvements and repairs to be undertaken during the year, and which were not included in the last preceding report.

(2.) He shall take such measures as he may consider necessary to keep a complete system of levels and bench marks in and for the City of Winnipeg, with a view to a general plan of sewerage, and the establishment of the levels of all streets, sewers, private drains, &c.

(3.) He shall have the general superintendence and control of all employees of the Department in the carrying out of all works of construction and repair of buildings, sewers, drains, streets and other works ordered by the Council or any committee thereof.

(4.) He shall be responsible to the Committee on Works and to the Council for the due performance of all such works, unless by the resolution, by-law or contract for the same, such works have been entrusted to some other engineer or architect.

(5.) He shall decide upon, select, and employ such number of foremen, inspectors, mechanics and laborers as may be required from time to time for any corporation work under his control, which has not been let by contract; and such employees shall be paid by the City, upon the engineer's certificate, and shall be subject to dismissal at any time by him or by the Council, without being entitled to any notice of or compensation for such dismissal by the Engineer; and all such appointments and dismissals shall be reported forthwith thereafter to the Council, through the Committee on Works.

He shall examine or cause examination to be made into all complaints of defective sidewalks, pavements, drains, and to take such measures as may be necessary to the conservation of the public thoroughfares and their maintenance against encroachments.

He shall grant all permits which may be granted by the Committee on Works for opening of streets, sidewalks, or other public places, for the purpose of laying down gas or water pipes, or private drains, or for any other purpose whatever.

He shall cause a weekly return to be made to him of all workmen employed and materials used during the week, and of the amount and description of work done.

(9.) He shall examine and certify all bills for material and labor against the Corporation, and to make, or cause to be made, the surveys and examinations necessary for the purpose.

(10.) He shall have control of all assistants employed in his department, and of all corporation contractors, subject to the terms of their respective contracts.

(11.) He shall report from time to time to the Committee on Works, or to any Committee having cognizance of the matter, or to the Council, as the case may require, any obstruction he may meet with in the course of his duties, and any matter upon which he may require advice or instruction.

(12.) He shall furnish the Council and the various Committees thereof with all plans and specifications required in connection with the roads, streets, lanes, bridges, sewers, drains, culverts, buildings, and other Corporation works, and take and furnish all levels, and make all surveys in connection with the same, and also perform all engineering services connected with the Corporation of the City of Winnipeg.

94. DUTY OF FIRST ASSISTANT ENGINEER AND DRAUGHTSMAN.

(1) To prepare and have the custody of, and be responsible for, all such plans and estimates as may from time to time be required by the City Engineer, and to make copies of the same when required.

(2) He shall keep a "Plan Book," which shall contain a list of all plans, profiles, and drawings in the department; and no plan shall be allowed to go out of the office until a receipt for the same has been signed by the person to whom it is given.

(3) He shall have general supervision of all works which may from time to time be given into his charge by the City Engineer, and to assist the Engineer generally in the duties of his office when so required by him.

95. It shall be the duty of the Street Inspectors, each in his respective division, or elsewhere, as may be ordered,

(1) To aid and assist the City Engineer in all works.

(2) To receive and deposit all material in stock, and to keep such account thereof as may be required, and return the same to the Engineer when directed.

(3) To have control of the gang foremen.

(4) To keep the time of all men employed by the department, and certify the same weekly to the Engineer.

(5) To attend with the men under his control when being paid

(6) To make all measurements of work and material which may be required, and to return the same to the Engineer, weekly or otherwise, as may be directed

(7) To see that after any water, gas or drain services have been laid on any of the streets, that the trenches have been properly refilled, the earth well rammed, and the sidewalks and paving properly replaced; or in case of neglect on the part of the parties laying down such services, to report the fact at once to the City Engineer

(8) To keep a "Measurement Book" in which he shall enter all measurements of work, of repair done and materials delivered for the same, with dates and names, as may be required.

96. The duty of the Clerk and Accountant to the Committee on Works shall be as follows:

(1) He shall attend to all persons calling at the Office on business connected with the department, and in the absence of the City Engineer to answer all enquiries connected with such business, and to report the same forthwith to the Engineer.

(2) He shall cause a notice of any special meeting of the Committee on Works to be served on each member of the said Committee at his residence or ordinary place of business on the day preceding that on which such meeting is to be held.

(3) He shall keep full and accurate minutes of the meetings of the said Committee, and a marginal number for each such minute, and to index the said "Minute Book" according to the subject of such minutes, within one week after the same have been taken.

(4) He shall conduct the correspondence of the said Committee on Works, and keep an index weekly, according to subjects, a "Letter Book," containing copies of all letters written by him on office business.

(5) He shall communicate on the day after any meeting of the Committee on Works, a copy of any order or minute of the said Committee made at such meeting, to such officials of the Corporation or other persons as may be affected thereby, or to whom the Committee may order the same to be communicated.

(6) He shall preserve and file all communications and tenders addressed to or read before the said Committee on Works, and to furnish to the Engineer or the Committee on Works when required, a copy of any account, letter, report, specification, or other document in the possession of the said department.

(7) He shall keep a "Tender Book," which shall contain a true copy of every tender received by the Committee on Works, with the date of receipt, and of the opening of the same, and the number of the minute in reference thereto.

(8) He shall keep a "Report Book," which shall contain a copy of every report made by the Engineer to the Council or any Committee thereof.

(9) He shall keep a "Permit Book," containing counterfoils of all permits signed by the Engineer.

(10) He shall keep a "Private Drain Book," which shall shew the cost of every private drain put in by the Corporation, and amount to be paid to the Chamberlain therefor.

(11) He shall keep a "Certificate Book," which shall shew the periodical estimates of all contract works in progress as made up from the Inspectors' measurements for the purpose of being certified by the Engineer.

(12) He shall keep an "Estimate Book," which shall contain a copy of the Engineers' estimates of the cost of all projected or intended works.

(13) He shall keep a "General Order Book," which shall contain counterfoils of all orders issued by the Engineer for works to be commenced, proceeded with or discontinued.

(14) He shall keep a "Materials and Stores Book," which shall contain counterfoils of all orders signed by the Engineer for stores or materials to be supplied.

(15) The Certificate Book, Permit Book, General Order Book, and Materials and Stores Book shall be kept in duplicate, with counterfoils like a Cheque Book, and both order or certificate and counterfoil shall be signed by the Engineer in every case.

(16) He shall keep a "Journal" which shall contain full details of all accounts rendered to the Committee on Works, with the date when each account was so rendered, and of the amount of the account, and of any deductions made by the City Engineer before certifying the same, the amount of the account as certified and the person in whose favor such certificate was given, and for what service. All entries in the Journal shall be posted into the Ledger hereinafter mentioned within one week.

(17) He shall keep a "General Ledger," which shall contain a debtor and creditor account, with the appropriations for Ward improvements, and every other service authorized by the Council, and shall show in detail each improvement appearing in the Journal.

(18) He shall keep a "Contract or Personal Ledger," which shall contain a debtor and creditor account, as aforesaid, with all contractors under the control of the Committee on Works.

(19) He shall keep an "Abstract Book," which shall contain a summary of the accounts certified in every month, and on account of what service.

(20) He shall keep an "Invoice Book," into which shall be posted the original invoices of all stores and materials ordered by the department, and the order under which the same was supplied; and no account for stores or supplies shall be certified unless the original order therefor, signed by the City Engineer, is returned with the account.

97. Whenever work is done and material is supplied under a written contract, no account or estimate for such work or material shall be certified by the Engineer, or paid by the Chamberlain, unless and until the complete execution of the contract and bond (if any) shall first have been certified by the City Solicitor.

THE CITY SOLICITOR.

98. The duties of the City Solicitor shall be as follows:

(1) He shall draft all such petitions or memorials as may be presented by the said Municipal Council to the Governor-General, Lieutenant-Governor, or the Dominion or Provincial Legislatures, and all Acts of Parliament, which may be desired by the Council aforesaid; and shall give all the necessary notices of application for such Acts, and attend to the passage thereof through the said Legislature and the various Committees thereof.

(2) He shall draft or revise all By-laws introduced into the said Municipal Council; and no By-law shall be finally passed until the correctness of the same has been certified to by the Solicitor.

(3) He shall draft or revise all deeds, leases, bonds, contracts and agreements made and entered into by the said Council, or any Committee thereof, with any other person or corporation whatsoever, according to such terms as may be agreed upon between the parties thereto.

(4) He shall, upon the request of the said Council, or any Committee thereof, draft or revise any preliminary agreement which may be considered necessary by the said Council or Committee, pending the execution of a more formal contract between the said Corporation and any other party or parties.

(5) He shall also, subject to the approval of the Committee having charge of the matter, draft or revise the conditions of sale or lease of any real or personal property intended to be leased or disposed of by the said Municipal Council, or of any exchange of land between the said Corporation and any other party or parties.

(6) He shall, upon the request of the said Municipal Council, or any Committee thereof, investigate the title to any lands intended to be acquired or disposed of by the said Corporation, and also the title to all lands held by leases or under leases of the said Corporation, who may desire the consent of the said Council or Committee to any assignment or sub-lease of the lands so held: and shall, according to the instructions of the Committee having charge of the matter, draft or revise all such re-leases, surrenders or confirmatory conveyances as may be necessary to carry out such instructions.

(7) He shall give to all contractors or their sureties, and to all defaulting tenants of the corporation, and to any persons or corporations trespassing upon city lands, and to any person whatsoever, all such notices as may be directed by the said Council, or any Committee thereof, for the protection of the rights of the said corporation or of the public.

(8) He shall attend to the prosecution and defence of all suits and actions brought or prosecuted by or against the said corporation, or to which the said corporation may be made parties, whether in the County Courts, or either of the Superior Courts of Common Law or Equity, or the Court of Chancery; and shall issue all writs, enter all appearances, draft all pleadings, notices, affidavits and other papers, and subpoena all witnesses that may be requisite for the proper conduct of such prosecutions and defences.

(9) Whenever any of such suits or actions shall be referred to arbitration, either by consent of the parties thereto or by order of a judge of the Court in which the same may be pending, he shall attend to the prosecution or defence of such suits or actions before such arbitrators, and shall subpoena all witnesses, and take all such other proceedings as may be necessary in the course of such reference; and shall give written notice to the Mayor and Chairman of the Committee under whose jurisdiction any such action or matter may be of the time and place appointed for the hearing of any such suit, action or matter.

10. He shall attend the City Police Court when specially requested so to do by the City Police Magistrate, the Mayor, or Alderman presiding at said court.

11. He shall advise the Court of Revision upon all questions of law affecting assessment appeals to the said court, and submitted to him by the chairman thereof; and shall at the request of the said chairman, attend to and defend any case appealed from the said Court to the County Court Judge or Queen's Bench.

12. He shall attend to the settlement of all suits, actions, claims or demands against the said Corporation referred to him for settlement by the said Municipal Council, or any Committee thereof; and shall draw all receipts, releases and acquittances which may be

necessary to carry into effect the instructions of the said Council or Committee in regard to such settlement.

13. He shall give to the said Municipal Council, and each of the Committees, or the Chairman thereof, and to the Mayor, Clerk, Chamberlain, Assessment Commissioner, Engineer, and to any Auditor, Assessors, Collectors, Returning Officers, Pound Keepers, or other officers appointed by the said Council, his advice or opinion upon any question of law arising in the course of the duty of such officers, and properly submitted for that purpose to the said Solicitor.

(13½) He shall receive applications for all loans of moneys belonging to the Sinking Fund, and report the same to the Finance Committee forthwith, together with the Valuator's Report, and shall examine all titles of property upon which each loan is to be made, and if accepted shall give an order on the Chamberlain for the amount of such loans as are accepted by said Committee.

14. And, generally he shall give due and proper attention to all the usual business appertaining to the law department of the City of Winnipeg.

98½. It shall be the duty of all other officers of this Corporation to furnish the City Solicitor, upon request, with any documents, books or papers in the custody or possession of such officers, and to give to the said Solicitor such other aid and assistance as he may require in the performance of the duties of the said office.

THE FIRE INSPECTOR.

99. There shall be appointed a competent, practical, and discreet person, to be called the "Fire Inspector and Inspector of Buildings," for the City of Winnipeg, such appointment to continue during the pleasure of the Council.

(1) He shall be present at all meetings of the Fire Committee unless prevented by unavoidable causes, to afford information relative to the conduct of the department under his charge.

(1½) He shall oversee the erection of all buildings to be built, altered or reconstructed within the City of Winnipeg.

(2) He shall carefully examine all chimneys, fire-places, hearths, ovens, furnaces, boilers, stoves, steam pipes, stove-pipes, funnels, stove-pipe holes, flues, and all places where fires are made or kept, or where ashes are kept.

(3) He shall see that no buildings are erected within the "fire limits," until a permit for the erection thereof shall have been obtained from the Committee on Fire, Water, and Light.

(4) He shall make it his duty to be conversant with the provisions and requirements of by-law No. 193 and all other by-laws of the City of Winnipeg, which are now or may hereafter become law for the prevention of fires or the erection of buildings.

(5) It shall be his duty to prosecute all and every violation and infraction of the by-laws mentioned, and to be vigilant and active in the discharge of his duty.

(6) All fees and costs incurred by him in the prosecution of offenders against the by-laws herein mentioned not otherwise ordered to be paid, shall be paid out of the funds of the said municipality.

(7) He shall make a monthly return to the Finance Committee of all expenses incurred in carrying out the duties of his office.

(8) He shall prepare tabular statements shewing the number of new buildings erected during the year in the several wards of the city, specifying the purpose for which they were constructed and the kind of material employed.

(9) He shall also report in tabular form the number of buildings in each ward which has undergone considerable repairs or alterations, specifying particulars when such are important.

(10) He shall also show by condensed table whether the number of new buildings have increased or diminished, as compared with previous years.

THE LICENSE INSPECTOR.

100. There shall be appointed a competent person to be called the Inspector of Licenses, for the City of Winnipeg, such appointment to continue during the pleasure of the Council.

(1) He shall have supervision over all persons to whom certificates to obtain licenses are issued, and all others to whom licenses are granted.

(2) He shall ascertain that all petitions for certificates to obtain liquor licenses are true in all particulars.

(3) He shall make a thorough inspection of the premises sought to be licensed.

(4) He shall make all inquiries relative to matters connected with the granting of licenses as may be required to secure the due observances of the by-laws of the Council, and to report thereon in full to the said committee.

(5) He shall visit at least once in every month, and oftener if necessary, every hotel, billiard saloon, boarding-house, or other public houses, and all premises licensed by the city, for the purpose of ascertaining whether the persons licensed comply with the provisions of the by-laws governing licenses.

(6) He shall prosecute all and every violation and infraction of the by-laws aforesaid, and be vigilant and active in the discharge of his duty.

(7) He shall keep a record in a book or books, the name and names of persons applying for a license or a certificate to obtain a license, the object and purpose therefor, the date of the same, the location, description, size and character of the house, shop, or other place for which a license is sought or granted; the number of times the person or persons obtaining or holding a license has or have been charged with any breach of the by-laws of the city, and any general information which may be of use as a reference in the future.

(8) He shall report at least once in every month to the License and Police Committee, all his proceedings.

(9) All fees and costs incurred by him in the prosecution of offenders against the By-laws not otherwise ordered to be paid, shall be paid out of the funds of the said Municipality.

(10) He shall make a monthly report to the Finance Committee of all expenses incurred in carrying out the duties of his office.

THE HEALTH INSPECTOR.

101. There shall be appointed a competent and discreet person to be called the "Health Inspector" for the City of Winnipeg, who shall hold office at the pleasure of the Council.

(1) He shall be provided with an office in the City Hall, and shall keep a correct record of all proceedings taken by him in connection with the duties of his office; and he shall also keep a Register, in which complaints may be recorded.

(2) It shall his duty to be in his office at stated portions of each day, for the purpose of receiving complaints against any infraction of any of the provisions of the By-laws in this By-law mentioned, and at such time it shall be the right and privilege of every citizen to attend upon him and lodge complaints, to be at all times in writing, of any infraction of any of the said By-laws.

(3) He shall, upon receiving any complaint under the preceding section, proceed with as little delay as possible to visit and personally inspect the premises or locality complained of, and investigate the cause of complaint, and if an infraction of any of the By-laws mentioned in subsection five of this section has taken place, he shall, then and there, direct immediate compliance with its provisions, and in case of non-compliance therewith, he shall forthwith, and without further notice, prosecute the offender or offenders, anything in the said By-laws to the contrary notwithstanding.

(4) He shall in all cases of complaint, endeavour by explanation and information given to the parties and by a proper and liberal construction of the By-law alleged to have been infringed, to amicably arrange all matters of dispute without an appeal to the Police Court; but nothing in this proviso contained shall be construed to entitle any person who may be so prosecuted to object that due effort to settle the dispute had not been made by him prior to such prosecution.

(5) He shall make it his duty to be conversant with the provisions and requirements of the following By-laws of the City, that is to say:

By-law No. 100, Respecting the Weight and Sale of Bread.

By-law No. 139, Respecting Pounds.

By-law No. 179, Respecting Public Health.

(6) He shall have charge of all Pounds and Pound-Keepers and Scavengers, and it shall be the duty of the Inspector to advise and instruct the said Pound-Keepers and Scavengers at all times respecting their duty.

(7) It shall be his duty to prosecute all and every violation and infraction of any of the By-laws in subsection 5 mentioned, and to be vigilant and active in the discharge of his duty in connection with the said By-laws as hereinafter set forth.

(8) All fees and costs incurred by him in the prosecution of offenders against any of the By-laws herein mentioned, not otherwise ordered to be paid, shall be paid out of the funds of the said Municipality.

(9) Any claim hereafter made for compensation for injury to the person, shall be forthwith referred to him, and he shall diligently enquire into and investigate the circumstances of the claim, and visit the person (if practicable) to which or to whom such injury is said to have been done, and, from personal inspection and enquiry, report to the Committee, who shall have such claim under consideration, his opinion as to the amount of

compensation (if any) for such damage or injury, together with any information and evidence relating thereto which he may be in possession of, the opinion of the City Solicitor (if necessary) and such other data as may enable the said Committee to arrive at a correct decision.

(10) For the more speedy settlement of all claims referred to in the foregoing section, the Council may, by resolution, authorize and empower him to settle such claims, after due enquiry and investigation by him, in such manner as he may deem most advantageous to the City, and his order, countersigned by the Mayor and having attached thereto a copy of the resolution of the Council, empowering him to settle such claim, signed by the Clerk of the Council, shall be sufficient guarantee to the City Chamberlain, who shall pay the amount of all such settlements without any further authority.

(11) He shall make a monthly return to the Finance Committee of all expenses incurred in carrying out the duties of his office.

ASSESSORS, COLLECTORS AND OTHER OFFICERS OF THE CORPORATION.

102. The Collector's Rolls are to be ready for the Collector as soon as possible, and not later than the first day of June in each year, and if the press of business makes this impossible for the City Clerk and his assistant, the Finance Committee shall obtain for the Clerk such further and temporary assistance as may be necessary, and shall forthwith report to the Council what they do in this respect with their reasons therefor.

103. In addition to the duties prescribed by law, or by any By-Law or resolution of the Council, the Collector and every officer of the Corporation (other than the Chamberlain), whose office occasions his receiving or collecting money for the Corporation, shall, unless otherwise directed by By-law or resolution of the Council, pay to the Chamberlain, on the Saturday of every week, all his collections up to that date; and shall, at the same time, if required by the Chamberlain, deliver to the said Chamberlain a declaration signed by such Collector or other officer as aforesaid, and to the effect that the amount so paid is all that he has received up to the time of making such payment, and the Chamberlain or Standing Committee on Finance may require such declaration to be sworn before the Mayor.

104. The Chamberlain shall from time to time report to the Council all officers who make default in complying with the requirements of the preceding section of this By-Law, with the particulars of the default.

MONEY APPROPRIATIONS, ACCOUNTS, EXPENDITURES, CONTRACTS AND IMPROVEMENTS.

105. All appropriations of money shall be submitted to a committee of the whole before being taken up in full council.

106. No committee or member of the Council and no officer of the corporation, shall on behalf of the corporation, enter into a contract or incur or authorize any expenditure, without having obtained by by-law or resolution, the previous authority or sanction of the Council; and no contract shall be authorized until the necessary appropriations shall have been made, either from the public funds, or by the passage of a local improvement By-law.

107. No contract or expenditure shall be authorized or permitted in contemplation of a loan, whereby a debt is incurred requiring the approval of the rate-payers, until after the by-law for such loan or debt has been duly passed, and has been approved of by the rate-payers according to law.

108. No work or improvement shall hereafter be authorized by the Council, without either having an estimate of the probable cost thereof, or (in the absence of any estimate) limiting an amount therefor; and no contract shall be entered into for such work or improvement at a larger sum, or involving a larger expenditure, than the amount so estimated or limited, and if such amount is found insufficient the fact is to be reported to the Council before the work is commenced or contracted for.

109. When money is hereafter duly authorized to be expended for any purpose, the amount to be expended is not to be credited by the Chamberlain to any committee, but he is to credit the same to an account to be opened for the object for which the money is voted, and he shall at the same time charge the amount against the fund out of which the same is to be paid, so as to show how much of such fund is from time to time appropriated; and he shall afterwards charge against the account which is to receive the credit, the sums from time to time paid of the amount so voted.

110. In case money appropriated to any particular purpose exceeds the amount which such purpose is afterwards found to require, the Chamberlain shall carry the surplus to the credit of an account to be opened in his books for unappropriated money, or carry the same to the general credit of the City on a resolution of the Council authorizing the same.

111. No money hereafter voted or raised for any purpose shall be applied to any other purpose, without expressly rescinding or repealing the Resolution or By-law by or under which the same was voted or issued, so far as such Resolution or By-law stated the purpose.

112. For the purpose of better securing to the Council full and accurate information before being called upon to authorize the expenditure of city money, every report recommending an expenditure of money shall state the reason and grounds on which the recommendation is made and shall as far as practicable state the same with sufficient fulness to enable others to judge of the propriety of the proposed expenditure.

113. For the same purpose, in case the expenditure is for any work or improvement the superintendence of which, if authorized, would fall within the duty of the City Engineer or some other superior officer of the Corporation, the Committee shall first procure a report from such Engineer or other officer, on the subject of the proposed expenditure, and how far the same is, in his opinion, necessary or expedient with reference to such of the general interests and requirements of the City as fall within the department of such officer, with his reasons at large.

114. No report of a Committee recommending any expenditure that should fall under the preceding Section of the By-law shall be received by the Council unaccompanied by the report of the proper officer, save in a case of emergency, to be fully shown in the report of the Committee, and assented to by a vote of a majority of the members of the Council present.

115. The resolution authorizing any expenditure for any of the purposes embraced in the one hundred and fifteenth Section of this By-law shall be entertained by the Council, without a like report having been first obtained from the proper officer.

116. When any Committee recommends or any member of the Council proposes to the Council, the making of any improvement, or the expending of any money, for or in respect of property of any kind, it shall be the duty of such committee, or of the member or members introducing the proposal, as the case may be, to ascertain as far as practicable whether such improvement passes through or along property in which any member of the Council or officer of the Corporation is interested, or whether any such member or officer

is interested in the property, for or in respect of which the money is proposed to be expended, and state to the Council how the facts are in those respects so far as ascertainable; this, in the case of a Committee shall be done in the report containing their recommendation, and except in a case of emergency, and then with the sanction of two thirds of those present, no action shall be taken or permitted upon any such report or proposal, until information of the matters referred to in this section is laid before the Council.

117. With the view of preventing members and officers of the Corporation from being interested in Corporation contracts, it is hereby expressly declared that no member of the Council, and no officer of the Corporation shall be interested in a private capacity, directly, or indirectly, in any contract or agreement for labor, or for any materials, goods, wares, or merchandise furnished to the City, wherein the City is a party interested.

118. Any breach of the duty imposed by the preceding Section of this By-law on the part of any officer of the Corporation shall subject him to forfeiture of his office and immediate removal therefrom.

119. No account or claim against the City arising out of or connected with any contract, agreement, purchase or sale, made contrary to Section ninety-five of this By-law, shall be certified by any engineer, or other officer of the Corporation, or approved by any committee or the chairman thereof, or paid by the Chamberlain.

120. Every contract shall contain a clause declaring that the contract is entered into on the part of the corporation in good faith, that no member of the Council or officer of the corporation has any interest whatever therein, and further declaring, that the persons contracting, and their representatives are to forfeit all claims under the contract, and for all work done, or materials or goods, wares or merchandize furnished under it, if it shall appear that any member of the Council or officer of the corporation is at the time interested therein, or of any interest therein is given or agreed to be given to him, and providing that no payment is to be required, without the declaration being delivered at the time of requiring the same as hereinafter provided.

121. Every account for work done or materials, goods, wares, or merchandize furnished for the corporation shall be accompanied by a written or printed declaration by the person claiming the same, and over his signature to the effect that no member of the Council or officer of the corporation is in a private capacity directly or indirectly interested in such account, or in any part of the work or materials mentioned therein, or of the money thereby claimed, and that the said account attached thereto amounts to the sum of \$
If, in consequence of the person or one or more of the persons claiming, being absent, or for any sufficient cause the required declaration cannot be obtained, the standing committee on finance and assessment, may, in lieu thereof, receive such other evidence of the facts, to be so declared, as may be satisfactory, and shall in such case report what they do for the information of the Council. The committee to whose department the account relates, or the standing committee on finance may, if they see fit, require the declaration in any case to be sworn to before the Mayor.

122. No plank, stone, timber, or other materials belonging to the corporation, shall be delivered to or used by any person, nor shall any person (other than the city engineer), take or use any plank, stone, timber, or other materials on account of the corporation, unless he shall first make a requisition in writing for the said materials so required, designating particularly, the kind, quality and quantity of the said materials, and the work for which the same is required, and should the materials so required be on hand or contracted for delivery, and the person applying therefor, be entitled thereto for the work in question, it shall be the duty of the city engineer, or person in charge of the city engineer's department, to deliver such materials to such person, or give him an order therefor, as the case may be, and take his receipt therefor.

123. No contractor or other person engaged on any work for the city shall be paid the compensation allowed him (unless otherwise provided for) by his contract, or any part thereof unless at the time of paying the same, he shall present to the chamberlain a certificate from the city engineer, stating that he had examined, measured and computed the work, and that the same was completed, or that the payment demanded was due on such work, and also stating what the work was on which such money was due.

124. With the view of further carrying out the various objects, embraced in this by-law, every account, before being paid, shall be certified, firstly, by the city engineer or other superior officer under whose superintendence the work was done, or materials provided, and secondly, by the committee (if any), under whose authority the contract, or expenditure was made; this latter certificate being given by, or by order of such committee or a majority thereof, and signed by the members or by the chairman in their presence, and such certificate shall also refer in some distinct manner to the by-law or resolution of the Council by or under which the expenditure was authorized.

125. The Chamberlain shall pay no such account unless the same is given to him with the said two certificates and also with the declaration hereinbefore mentioned, or the order of the Finance Committee in lieu of such declaration, or unless the same was duly authorized by the Council according to the provisions of this By-law, and the cheque shall mention the By-law or Resolution which authorizes the payment to be made.

126. In case the committee has reason to believe that any member of the Council or officer of the Corporation is interested in any account presented for the approval of such committee it shall be the duty of such committee to withhold a certificate, and to give the parties interested, or supposed to be interested in the account, an opportunity of disproving the supposed interest; and if they fail to do so to the satisfaction of such committee, it shall be the duty of the committee to report the same forthwith to the Council.

127. The Chamberlain, for the convenience of parties, shall provide printed forms for the necessary certificates and declarations, such forms being subject to the approval of the Standing Committee on Finance.

128. No money shall be paid to any member of the Council or to any officer of the Corporation as agent or attorney for any contractor, or in any manner on behalf of a contractor.

129. No member of the Council shall have power to direct or interfere with the performance of any work for the Corporation; and the officer in charge shall be subject only to his superior officer (if any) and to the Council, or to any committee (while acting in that capacity and not otherwise) to which the Council may in any case give authority in that behalf.

130. All work and materials exceeding in value five hundred dollars shall be done and provided by contract, and after tenders have been called for, and advertised for one week, or in any other manner which the extent and importance of the work may render necessary. In case of an emergency rendering it necessary to dispense with this rule, such dispensing therewith shall require the sanction of a majority (being not less than four) of the members of the Committee having charge of the matter; and every such case is to be entered in their minutes at the time, and to be reported to the Council at its next meeting, with the reasons which rendered it necessary in such cases to dispense with this rule.

131. Every tender for work or supply of material shall be accompanied at the time of its delivery to the proper Clerk or officer of the Corporation by a cheque marked good, or

cash deposit equal to ten per cent of the whole amount of the contract for which such tender shall be made or put in, when the amount of the contract does not exceed one thousand dollars, and for all contracts over one thousand dollars the amount of such cash deposit shall be five per cent. of the whole amount of the contract: and every such cheque or cash deposit shall be forwarded to and remain in the custody of the Chamberlain of the Corporation, or be placed by him to the credit of a special account, entitled "Contractors' Deposits," until the contract for which such tender shall have been put in is awarded, when the cheques and deposits of unsuccessful tenderers or a payment by the City shall be returned to him or them; but the cheque or deposit of the successful tenderer shall remain on deposit until after the execution of the contract, and bond, if any required, for the work or materials, as the case may be, to the satisfaction of the City Solicitor; and in all cases where a tender has been accepted, and the party tendering fails to execute his contract and furnish the requisite bond and sureties, the sum deposited shall be forfeited to the use of the City.

132. No contractor or other person found by the City Engineer, or person in charge of the Engineer's department, or by any committee of the Council or declared by a resolution of the Council or ascertained by a judicial decision, to have been guilty of defrauding, or of attempting to defraud the City shall again be employed in any capacity on behalf of, or receive any contract from the City, without the express sanction of the Council. It shall be the duty of the various officers of the corporation, to forthwith report all such frauds or attempted frauds of which they become cognizant to their superiors, and for superiors to report the same to the committee to whose department the subject of the fraud belongs.

GENERAL CLAUSES.

133. Copies of all Reports of Committees for the current week shall be sent to every member of the Council, at their residence or usual place of business, on or before the last day of the week.

134. Any officer who shall refuse or wilfully fail or neglect to perform any duty enjoined upon him by any by-law or resolution of the Council, or shall fail, in the discharge of his official duty, be guilty of any fraud, extortion, oppression, favoritism, partiality or wilfully wrong or injustice, shall be subject to removal from office, to and a fine in each case of not less than one dollar, or more than twenty dollars.

135. In order the more conveniently to carry out the provisions of this by-law there shall be attached to each and every minute of the proceedings of the Council a progressive number in each year, and each document or certified copy of a minute, communicated to any committee of the Council, as herein before required shall have the same number of the Council, to which it refers.

136. Official hours for the transaction of business in the various offices in the City Hall, excepting the Mayor's office, shall be as follows:

City Clerk, 10 a. m. to 3 p. m.

Chamberlain, 10 a. m. to 3 p. m.

City Engineer, 10 a. m. to 3 p. m.

Fire and Building Inspector, License Inspector, Health Inspector, 10 to 12 a. m.

Except on Saturday, when all the civic offices shall be closed at 1 o'clock p. m.

The Mayor, and in his absence the Alderman acting for him, shall attend daily in his office for one hour at least, such hour to be named by him on assuming office.

The head official of any department may at any time, when press of public business demands, in his discretion require the attendance of the various officials in his department at such other hours as he may think necessary.

1887. Done and passed in Council at the said City of Winnipeg, this thirtieth day of December, in the year of our Lord one thousand eight hundred and eighty-two.



ALEX. LOGAN,
MAYOR.

A. M. BROWN,
CITY CLERK.

daily in his

the business
department

the day of

N,
MAYOR.

,
CLERK.